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April 10, 2012

**Via Electronic Filing**

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Horry Telephone Cooperative, Inc. Ex Parte on Proposed List of  
Census Block Eligible for Bidding**

**Mobility Fund Phase I Auction – AU Docket No. 12-25**

Dear Ms. Dortch:

Horry Telephone Cooperative, Inc. (“Horry”), by and through its attorneys, submits this letter in response to the Federal Communications Commission (“FCC” or “Commission”) Wireless Telecommunications and Wireline Competition Bureaus (the “Bureaus”) *Public Notice* on the proposed areas made eligible for bidding in the Mobility Fund Phase I Auction (“Auction 901”).<sup>1</sup> Horry, a rural telecommunications service provider and robust wireless operator, hereby apprises the Commission that pursuant to the requirements of the *USF/ICC Transformation Order*,<sup>2</sup> certain census blocks in South Carolina should not be listed as eligible areas in Auction 901 because Horry either currently

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<sup>1</sup> *Comment Sought on Competitive Bidding Procedures/or Auction 901 and Certain Program Requirements*, AU Docket No. 12-25, Public Notice, DA-12-121 (rel. Feb. 2, 2012) (“*Public Notice*”).

<sup>2</sup> *Connect America Fund et al.*, WC Docket No. 10-90 et al., *Report and Order and Further Notice of Proposed Rulemaking*, FCC 11-161 (rel. Nov. 18, 2011) (“*USF/ICC Transformation Order*”).

provides, or will soon provide, next generation (“3G”) services to such areas.<sup>3</sup>

The map, attached as Exhibit 1, depicts the coverage that Horry is currently providing and anticipates its 3G network will provide by the end of April 2012. As indicated above, Horry is a robust wireless operator, providing 3G wireless services throughout Conway and Myrtle Beach, South Carolina, and adjacent rural areas. For sites not yet deployed, Horry has already purchased all the equipment, secured tower space, constructed towers (or is in the final phase of construction of a few towers), and has provided backhaul for the 3G deployment depicted in Exhibit 1. As such, Horry has either already deployed or has nearly deployed all of the sites that are necessary in providing the coverage depicted in Exhibit 1 well in advance of Auction 901.

Attached hereto as Exhibit 2 is a list of census blocks that the Bureaus have identified as preliminarily eligible for Mobility Fund Phase I support. In these census blocks, however, Horry is either currently providing 3G coverage or will provide 3G coverage by the end of April 2012. As such, these census blocks should not be considered “unserved areas” and should not be included in the final list of areas eligible for support in Auction 901.

Based on the foregoing, Horry respectfully requests that the Bureaus exclude the census blocks listed in Exhibit 2 from the list of eligible areas in Auction 901.

Respectfully submitted,



Donald L. Herman, Jr.

Susan C. Goldhar Ornstein

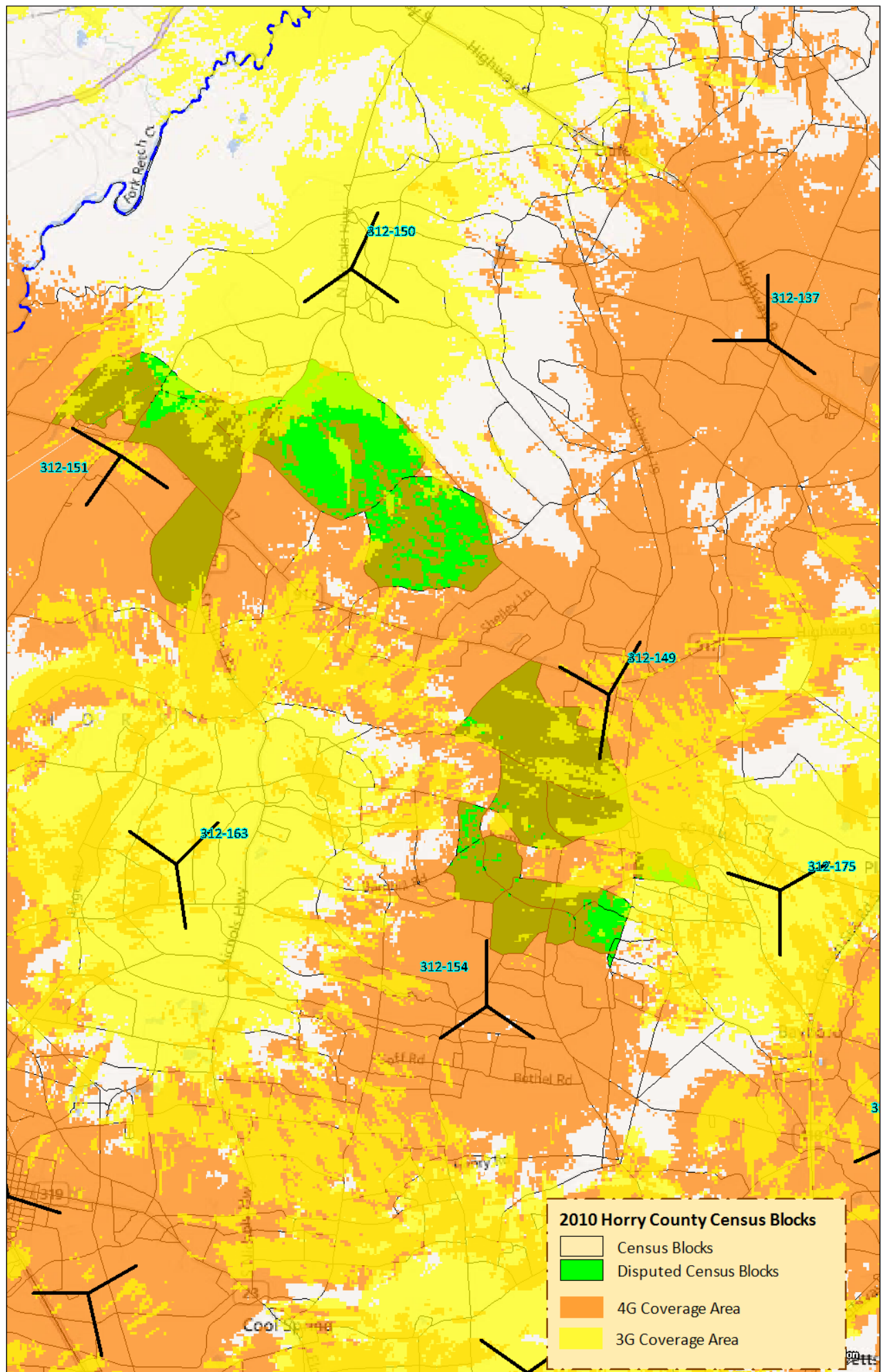
Counsel to Horry Telephone Cooperative, Inc.

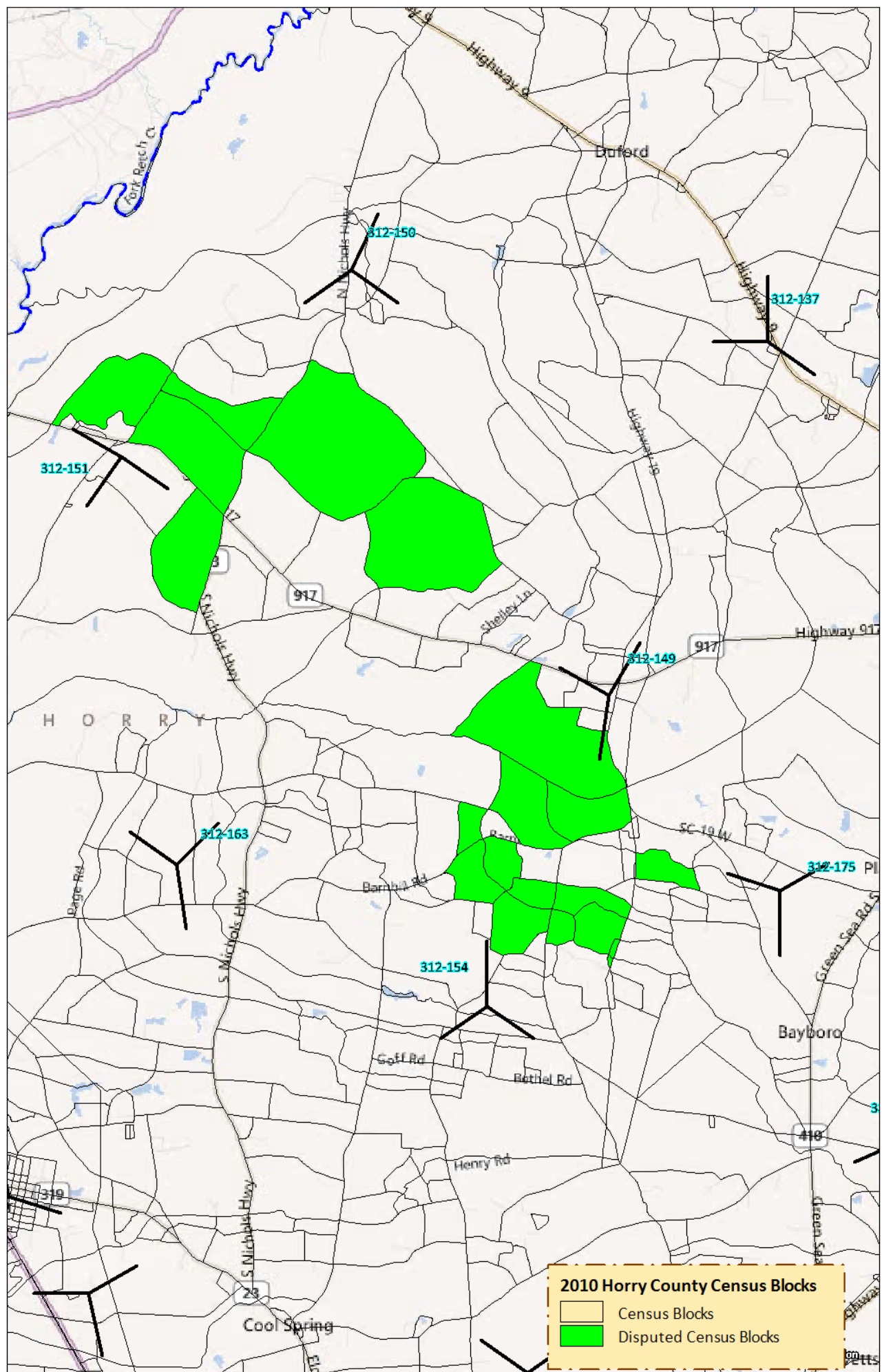
Enclosures

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<sup>3</sup> Although Horry, a small rural carrier, is submitting this information after the deadline for filing comments in response to the *Public Notice*, the Bureaus are urged to consider the information submitted in this letter in determining which areas should included as eligible for bidding in Auction 901. Accepting this information and exclusion of these census blocks from the Mobility Fund I auction serves the public interest, because including census blocks in which unsupported providers are actively deploying 3G or better services in Auction 901 would not constitute an “appropriate use of available resources” in light of the limited financial support available through Mobility Fund Phase I. *Id.* at ¶ 342. See also *id.* at ¶ 319 (“We conclude that the public interest is best served by maximizing the expansion of networks into currently unserved communities given the available budget...”).

# **EXHIBIT 1**





# **EXHIBIT 2**

TRACT	BLOCK	STATE	STATE_COUNTY	COUNTY_NAME	CMA	BLOCK_GROUP	POP10	AREA	Census Tract	BLOCK
45051010100	450510101002051	SC	45051	Horry	629	450510101002	25	1.95	Census Tract 101	2051
45051010100	450510101002052	SC	45051	Horry	629	450510101002	45	2.65	Census Tract 101	2052
45051010100	450510101002060	SC	45051	Horry	629	450510101002	30	0.83	Census Tract 101	2060
45051010100	450510101002061	SC	45051	Horry	629	450510101002	9	0.48	Census Tract 101	2061
45051010100	450510101002063	SC	45051	Horry	629	450510101002	27	1.11	Census Tract 101	2063
45051010100	450510101002081	SC	45051	Horry	629	450510101002	27	0.92	Census Tract 101	2081
45051010100	450510101002132	SC	45051	Horry	629	450510101002	38	1.78	Census Tract 101	2132
45051020300	450510203001015	SC	45051	Horry	629	450510203001	27	0.25	Census Tract 203	1015
45051020300	450510203001018	SC	45051	Horry	629	450510203001	17	0.25	Census Tract 203	1018
45051020300	450510203001029	SC	45051	Horry	629	450510203001	7	0.13	Census Tract 203	1029
45051020300	450510203001030	SC	45051	Horry	629	450510203001	7	0.3	Census Tract 203	1030
45051020300	450510203001035	SC	45051	Horry	629	450510203001	0	0.01	Census Tract 203	1035
45051020300	450510203001036	SC	45051	Horry	629	450510203001	0	0.00692629	Census Tract 203	1036
45051080101	450510801011000	SC	45051	Horry	629	450510801011	9	0.54	Census Tract 801.01	1000
45051080101	450510801011001	SC	45051	Horry	629	450510801011	6	0.63	Census Tract 801.01	1001
45051080101	450510801011028	SC	45051	Horry	629	450510801011	12	0.16	Census Tract 801.01	1028
45051080101	450510801012001	SC	45051	Horry	629	450510801012	16	0.24	Census Tract 801.01	2001
45051080101	450510801012002	SC	45051	Horry	629	450510801012	14	0.33	Census Tract 801.01	2002
45051080101	450510801012003	SC	45051	Horry	629	450510801012	0	0.0002888	Census Tract 801.01	2003
45051080101	450510801012005	SC	45051	Horry	629	450510801012	14	0.42	Census Tract 801.01	2005
45051080101	450510801012006	SC	45051	Horry	629	450510801012	0	0.18	Census Tract 801.01	2006